

APPROVED: Meeting No. 40-86

ATTEST: *Carol A. Kachadoorian*

MAYOR AND COUNCIL

ROCKVILLE, MARYLAND

MEETING NO. 27-86

June 23, 1986

The Mayor and Council of Rockville, Maryland, convened in general session in the Council Chamber, Rockville City Hall, Maryland at Vinson Street, Rockville, Maryland, on Monday, June 23, 1986, at 8:05 p.m.

PRESENT

Mayor Steven Van Grack

Councilman Steve Abrams

Councilman James F. Coyle

Councilman Douglas Duncan
(arrived at 8:20 p.m.)

Councilman Peter Hartogensis

The Mayor in the Chair.

In attendance: City Manager Richard V. Robinson, City Attorney Paul Glasgow; City Clerk Carol A. Kachadoorian.

Re: Invocation

The invocation was given by Houston G. Brooks, Mt. Calvery Baptist Church.

Re: City Manager's Report

Mr. Robinson reported the following:

1. Mary Parker, Director of Finance, has been appointed to the Advisory Committee of the Governmental Finance Officers Association's Public Pension and Benefit Consortium.

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Mayor Van Grack commented on the Maryland Municipal League Convention that was in Ocean City Maryland. He said that he came away convinced the the City of Rockville is the best in the state of Maryland.

Councilman Coyle noted that this conference marked the celebration of the League's 50th year in existence. Living past presidents were on the dias at the luncheon on Tuesday. Of the 15 past presidents present, 4 or 6 were former mayors from Rockville.

Councilman Hartogensis reported that he came away from the conference feeling refreshed with new ideas.

Re: Amateur Radio Week

Proclamation No. 6-86

On motion of Councilman Abrams, duly seconded and passed by unanimous vote of all present, Mayor Van Grack proceeded to issue Proclamation No. 6-86, proclaiming the week of June 22 - June 29, 1986, as "Amateur Radio Week" and urged all citizens to support the efforts of the amateur radio operators of the city. The proclamation was presented to Jim McDonald.

Re: Community Theatre Month

Proclamation No. 7-86

On motion of Councilman Hartogensis, duly seconded and unanimously passed, Mayor Van Grack proceeded to issued Proclamation No. 7-86, proclaiming July, 1986, as "Community Theatre Month" in the City of Rockville. Jean Piccolina from Rockville Little Theatre, Edie Anderson from Rockville Musical Theatre, and Barbara Belcher and Jean Edwards from Rockville Youth Theatre were present to receive the proclamation.

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Re: Presentation of High School
Achievement Awards

Mayor Van Grack presented awards to students from Rockville High School's "It's Academic" team, coached by Kevin Keegan, for winning first place in the Academic Hallmarks Knowledge Master Open. The students receiving awards were: Greg Brown, Sanford Gruenfeld, Eric Kovalsky, Chris McCotter, Danny Unger, Grace Chang, Cathy Changchien, Peter Lineberry, Kathy Sargeant, Noah Silverman, Michael Zavisca, Char Branstetter, Zayd Eldadah, Jason Kahn, Garth Zeglin, Paul Caron, Nina Copaken, Bill Fagan, Jim Head, Peter Kim, Laura Maglott and Greg Nerenberg.

Mayor Van Grack also presented awards to students from Wootton High School's Mock Trial Team, coached by Hap Allison and advised by John Marshall, attorney. Students receiving awards were: Jennifer Blue, James Dailey, Matthew Forman, Anne Elizabeth Freeh, Jon Kaplan, Miriam Levine, Kalpana Parakkal, Kimberly Searce, Wendy Shavell, and Jeff Sparks.

Re: Citizen's Forum

The Mayor opened the meeting to those citizens who wished to address the Mayor and Council:

1. Mr. Fahad Azizi, 613 Denham Road addressed the Mayor and Council on the subject of fluoride in drinking water. Mayor Van Grack referred to a report from staff on the subject that was developed after Mr. Azizi addressed the Mayor and Council at Citizen's Forum portion at its meeting on June 9, 1986. City Manager Robinson reported that the City's water treatment plant is in compliance with federal, state, and county guidelines, having added fluoride to the water since operations began at the water treatment plant. Mr. Robinson also cited studies that show a reduced level of cavities nationwide. Mr. Azizi said he had spoken to chemists with list of question and had

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not received answers. At the request of the Mayor, Mr. Azizi provided the list of questions to the City Manager. The questions were:

The reaction of H_2O and H_2SiF_6 (fluoride): $\text{H}_2\text{O} + \text{H}_2\text{SiF}_6 \rightarrow \text{SiO}_2 + 4\text{HF}$
 or if CL is added, $2\text{H}_2\text{O} + \text{H}_2\text{SiF}_6 + \text{CL}_2 \rightarrow \text{SiO}_2\text{CL}_2 + 6\text{HF}$.

1. Fluoride is a toxic substance and does not change its properties by mixing with other elements.

2. Addition of Fluoride by each household can also be hazardous to environment.

Mr. Azizi also stated that he had spoken to the Environmental Protection Agency regarding air pollution and has not received answers to his concerns.

Councilman Abrams advised Mr. Azizi that he was speaking with the appropriate body. Councilman Hartogensis suggested that Mr. Azizi also speak with the State of Maryland Department of Health.

2. Phyllis Marcuccio, 406 S. Horners Lane, spoke to the Mayor and Council regarding support from the East Rockville Civic Association's support for the downzoning of the property on South Stonestreet. Ms. Marcuccio also addressed the Mayor and Council regarding the PEPCO site on South Stonestreet. She read a memorandum from the civic association and asked that it be placed in record. Ms. Marcuccio extended the assistance of the civic association in efforts to resolve the clean-up of the PCB's. Councilman Abrams informed the Mayor and Council that he has spoken with Ray Feldman from the State regarding the clean-up efforts. According to Mr. Feldman, the workers always wear the head-to-toe uniforms when cleaning up sites, regardless of the level of hazard. In addition, some samples taken from the soil at the site were 500 parts per million, below the level that would be considered hazardous. In addition, Councilman Abrams relayed that it is PEPCO's responsibility to clean

up the soil until testing shows the level of PCB's at 50 parts per million. There was no evidence of groundwater intrusion of the PCB's, nor is there evidence of an emergency from air transmission.

Ms. Marcuccio suggested that the City prepare an informational flyer on the situation for distribution in the community. City Manager Robinson agreed to do so.

3. Mr. Homer C. Brock, South Horners Lane, spoke on water pipe cleaning.

4. Christopher Hill from the Clinton AME Episcopal Church, 814 Westmore Avenue, addressed the Mayor and Council regarding access to Lincoln Park. He stated that the City should not spare any expense to correct the current situation and asked that the views of the residents be given serious consideration before any decision is made.

5. Richard Arkin, 525 Lynch Street, addressed the Mayor and Council regarding the Governor's Commission on Condominiums, Cooperatives and Homeowners Associations. He reported on the work of the Commission over the past few years, highlighting the passage of a comprehensive bill governing housing cooperative development to become effective on July 1, 1986. Mr. Arkin stated that while the Commission expired with the end of the last session of the General Assembly, he hoped that passage of homeowners association legislation would occur in the next session. Mr. Arkin submitted the new law on cooperatives for the record. In response to a question from Councilman Coyle, Mr. Arkin advised the Mayor and Council that the opportunities for new cooperatives in Rockville depended upon tax legislation. In response to a question from Councilman Abrams, regarding the timeframe before conversion rights are vested, Mr. Arkin stated that there is a question

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about timeframes, and that the City should contact Senator Perkins regarding tenant protections.

6. Ms. Ruth Loevinger, 12 Lakeside Overlook, spoke against the addition of an invocation at meetings of the Mayor and Council, stating that it is an erosion of the separation of church and state.

There being no other citizen wishing to be heard, the Mayor closed the citizen's forum portion of the meeting.

Re: Adoption of Ordinance to
appropriate funds and levy taxes
for FY 1987.

Ordinance No. 17-86

On motion of Councilman Abrams, duly seconded, and unanimously passed, the Mayor and Council agreed to bring the motion to table consideration of this item off the table. Councilman Hartogensis stated that he had expected the decision on a tax rate to be very routine; however, he returned from his trip to learn of the split vote on the issue. He stated his support for a reduction from \$.88 to \$.87, as the City's \$6 million surplus would allow for it.

Councilman Abrams stated that the rationale for a decrease is a change in philosophy, rather than a change in procedures. He referenced a staff memorandum on the issue of stability in the tax rate, the recent problem of bids coming in over estimates and the uncertainty about the City's self-insurance coverage. He stated his preference for building greater reserves, rather than making a symbolic reduction in the tax rate.

Councilman Coyle reported that a citizens had sent him a check for \$4.50, responding to his statement at the last meeting that he would not mind receiving a check for \$4.50 (the effective reduction in property taxes on a house valued at \$100,000.

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Councilman Duncan's motion to amend the ordinance was passed, with Councilmembers Coyle, Duncan and Hartogensis voting aye and Mayor Van Grack and Councilman Abrams voting nay.

Before adoption of the ordinance, Councilman Coyle thanked all those who had contributed to the FY 1987 budget, including citizens who testified and members of boards and commissions. He stated his preference that the FY 1988 budget be even more citizen-oriented, and itemized his views on the budget in general: first, the City is in a good financial condition; second, there is a need to do a better job in anticipating changes in revenues and expenditures over time; and third, working on the budget is the most important thing the Mayor and Council can do.

Councilman Abrams joined Councilman Coyle in his comments, expressing his own areas of concerns: first, the liability issue poses problems as to what is a reasonable reserve; second, funding for refuse collection, with respect to the tipping fee, has a greater impact on lower income residents; and third, the City has moved into the area of being a social welfare provider; therefore, it needs to look at a level of expenditure overall and set a tax rate accordingly.

On motion of Councilman Hartogensis, duly seconded, and unanimously passed, Ordinance No. 17-86, the full text of which can be found in Ordinance Book No. 12 of the Mayor and Council, to appropriate funds and levy taxes for FY 1987 and setting the property tax rate at \$.87, was adopted by the Mayor and Council as amended. Councilman Abrams asked that his objections on the amendment of this ordinance be noted in the record.

After adoption of the ordinance, Mayor Van Grack noted that the past year was one of transition, with new characters involved. He emphasized the

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positive efforts of the Mayor and Council during the year on projects such as social programs, receiving input from citizens and beginning a long-term approach to the City's future. The \$.01 difference on the tax rate is small in comparison to these other accomplishments.

Re: Adoption of Resolution to Set
Fees for Refuse Collection

Resolution No. 21-86

On motion of Councilman Coyle, duly seconded and unanimously passed, Resolution No. 21-86, the full text of which can be found in Resolution Book No. 8 of the Mayor and Council, setting fees for refuse collection at a rate of \$15.94 per month was adopted by the Mayor and Council.

Re: Consent Agenda

Councilman Abrams asked that items D (recommendation on Bid No. 84-86) and F (Recommendation on Bid No. 85-86) be removed from the consent agenda for separate consideration.

On motion of Councilman Duncan, duly seconded and unanimously passed, the following six consent agenda items were approved as recommended by staff:

Re: Introduction of Ordinance: To Levy
Assessments for Driveway Aprons and
Various Locations (Project 4D12)

On motion of Councilman Duncan, there was introduced upon the table, an ordinance to levy assessments for driveway aprons and various locations (Project 4D12), said ordinance to lay over at least one week before final action is taken.

Re: Recommendation for Award of
Contract for Police Consultant
Study

Five proposals were received for the Rockville Police Services Study. The evaluation panel that reviewed the proposals was made up of the Assistant

City Manager, the Chief of Police, the Public Information Officer, and the Administrative Assistant to the City Manager. The evaluation panel recommends that award of contract be made to the Police Executive Research Forum in the quoted amount of \$23,241.55.

The Police Executive Research Forum (PERF) was the unanimous No. 1 ranking of all of the evaluation team members. In addition, the PERF submission was the lowest priced, and the shortest proposed time for completion of the study (90 days).

On motion of Councilman Duncan, duly seconded and unanimously passed, award of Contract for the Police Consultant Study was awarded to the Police Executive Research Forum in the amount of \$23,241.55.

Mayor Van Grack noted that he was pleased with the award for the police consultant study, and thanked staff who had worked on the project. Councilman Coyle stated that it was appealing that the study would be completed in a 90-day period. He asked that the Human Rights Commission be involved in the study, as appropriate.

Re: Award of Contract for Purchase of
Control Equipment for Washington
Street Signal System (Project 6B12)
and Baltimore Road/Twinbrook
Parkway (Project 4A71)

For these two projects, staff would like to purchase control equipment directly from the State Highway Administration (SHA), or by using the SHA's present contract(s) for purchase of control equipment. The SHA purchases traffic control equipment under strict specifications and competitive bidding procedures. Under these conditions, and with City Manager permission, staff is allowed to set aside normal bidding requirements. Since the total purchase

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will exceed \$20,000, Mayor and Council approval is also needed. The estimated cost for a total of four controller packages is \$44,000.

SHA has the necessary control equipment on hand and has assured staff that it will be ready for delivery when needed.

On motion of Councilman Duncan, duly seconded and unanimously passed, approval was given to staff to purchase control equipment directly from the State Highway Administration or by using the SHA's present contract(s) for purchase of control equipment for Washington Street Signal system and for Baltimore Road/Twinbrook Parkway system.

Re: Award of Contract for Bid 86-86,
Social Hall Ceiling and Lights

The subject invitation was issued for the renovation of the Civic Center Social Hall ceiling and lights. Bids were solicited for each of the three separate parts of the work, electrical, HVAC, and ceiling, with the City as general contractor. Deduct prices were also requested for two specified items.

PART I: Electrical work (main hall and lobby)
Deduct lobby

Part II: HVAC vent work (main hall)

Part III: Grid work and ceiling tiles (mail hall and lobby)

In alphabetical order, the bids were as follows:

<u>COMPANY NAME</u>	<u>PART I</u>	<u>DEDUCT</u>	<u>PART II</u>	<u>PART III</u>	<u>DEDUCT</u>
Construction-Commercial, Inc.	\$11,630	\$ 700	\$ 4,940	\$12,490	\$ 900
County Wide Electrical Service	11,850	800	No Bid	No Bid	
Goodman Electric, Inc.	12,240	1,160	No Bid	No Bid	
HVAC Precision Services, Inc.	No Bid		4,500	No Bid	
Meridian Roofing & Construction	13,290	1,240	3,800	13,700	1,400
Smith & Haines, Inc.	11,375	800	3,500	5,297	500
S Rock Corp	10,600	450	No Bid	No Bid	

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A seventh company submitted a bid, but it was not possible to determine their intended prices for each item. Their bid was:

ZAV Electrical Contractors	\$ 300	\$16,953	\$10,302	\$12,345	\$39,900
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Staff recommends that their bid be considered non-responsive.

The low bids were, for Part I - S. Rock Corp in the amount of \$10,600; Part II - Smith & Haines, Inc., in the amount of \$3,500 and Part III - Smith & Haines, Inc., \$5,297. Each company was asked to state the number of days required for each job. Smith & Haines estimated only six days for Part III while the other companies estimated ten days. Although their bid is considerably lower than the other bids, there is no evidence that it is in error, or that they failed to understand the requirement.

Staff recommends award to S. Rock Corp. for \$10,600 for Part I, and to Smith & Haines, Inc., for \$8,797 for Parts II and III. Both companies have worked for the City and have performed satisfactorily. \$50,000 is budgeted for this project.

On motion of Councilman Duncan, duly seconded and unanimously passed, Bid No. 86-86 for Social Hall ceiling and lighting was awarded as recommended by staff.

Re: Award of Contract for Bid 68-86,
10,000 gallon Gasoline Storage
Tanks

Bids were received and opened on June 18, 1986, at 3:00 p.m. L.S.T. for the fabrication and installation of two 10,000 gallon gasoline storage tanks and related materials and services.

During the mid-year budget appropriation, funds were requested and appropriated for the replacement of two fuel storage tanks of which one had a serious leak and was in excess of 15 years and the second one no longer meets

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current state standards. The City was required by the Water Resources Administration to initiate a recovery system for removal of the petroleum product from the ground water and to replace the one leaking tank and to retrofit the second tank with anode protections system. It is in the City's best interest, to achieve the 30-year warranty on the site, to replace both tanks.

The specifications were developed to meet or exceed all state and federal requirements for underground fuel storage and were approved by the State prior to bidding.

Twenty-nine proposals were sent out and the following were received:

Cummings Construction Co., Frederick, Maryland	\$47,800.00
Calco Systems, Inc., Gaithersburg, Maryland	54,203.00
Estimated Cost	\$48,000.00
Bid Cost	\$47,800.00

Staff believes that the bid amount is appropriate for the requirements and the scope of the work involved and recommends the following:

1. The award of Bid No. 68-86, in the amount of \$47,800.00 be awarded to Cummings Construction Co.; and
2. That staff be authorized to supplement the original estimated cost by transferring funds from the Gasoline and Oil account (\$10,000) and from the Vehicle Maintenance account (\$8,000) in the Motor Vehicle Maintenance budget.

On motion of Councilman Duncan, duly seconded and unanimously passed, Bid No. 68-86, for 10,000 gallon gasoline storage tank was approved as recommended by staff.

Re: Recommendation for Award of
Contract for Bid No. 79-86 for
Transit Buses

As part of the City's Equipment Replacement Program, Bid No. 79-86 was received and opened on June 13, 1986, at 2 p.m. L.S.T. This was a re-bid of

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#53-86 which was rejected by Mayor and Council action in April due to excessive cost.

There were 38 proposals sent out with three responses as follows:

28 Passenger Transit Bus

Vendor	Make/Model	Cost
Colonial Equipment Company Mt. Airy, Maryland	Ford/Terra Transit	\$36,867.00
Chesapeake Bus & Equipment Co. Gaithersburg, Maryland	Champion/#3281	\$38,110.00
Chesapeake Bus & Equipment Co.	Eldorado Arrotech #2800	\$38,110.00

23 Passenger Paratransit Bus

Vendor	Make/Model	Trade-in	Net Cost
Colonial Equipment Co.	Ford/Terra Transit	\$12,500.00	\$27,268.00
Chesapeake Bus & Equipment Co.	Champion/#3281	5,000.00	36,921.00
Chesapeake Bus & Equipment Co.	Eldorado Arrotech #2800	5,000.00	36,921.00

The base bid of \$76,635 for the two buses reflects a decrease in bid price of 25% from the previously rejected bid of \$103,417.

The budgeted amount for these replacements is \$62,000.00. The cost for these replacements, \$76,635.00 less trade in credit of \$12,500.00, is \$64,135.00. Since there is sufficient funds in the Equipment Replacement Fund for this purchase, staff recommends the following action be taken:

1. Purchase one 28 Passenger Transit Bus from Colonial Equipment Company in the amount of \$36,867.00; and
2. Purchase one 23 Passenger Paratransit Bus with trade-in from Colonial Equipment Company in the amount of \$27,268.00 (\$39,768.00 Base Bid less \$12,500 trade-in credit).

On motion of Councilman Duncan, duly seconded and unanimously passed, award of contract for Bid No. 79-86 for purchase of a 28 Passenger Transit Bus and a 23 Passenger Paratransit bus was awarded as recommended by staff.

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Re: Recommendation on Bid No. 84-86,
Rehabilitation of Maryvale Park
Basketball Courts.

The subject invitation was issued for the rehabilitation of two basketball courts at Maryvale Park. This includes application of a new wearing surface, improved surface texture, colorcoat in green, and the addition of new playing lines after repairs of cracks and depressions. The contractor is also required to remove and replace with new materials the ten foot high chain link fence.

Invitations were mailed to thirty-six contractors and to four bid publication services. Only one bid was received.

Applicators, Inc.	\$33,809
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Deduct	\$ 2,890
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The deduct item was for deletion of the finish course (surfacing system) and colorcoat.

The budget for this project was \$25,000. Even with the deduct, the single bid of \$30,919 is nearly \$7,000 over the approved budget.

Staff recommends rejection of the sole bid as being over budget, and that the project be rebid at a time when work is not so plentiful for contractors performing this type of construction.

Councilman Abrams expressed his concern that this bid was a replay of the situation with the David Scull basketball courts, stating that he was not convinced that the City would get a better price if the project was re-bid. In addition, while the project would be delayed substantially. Greg Bayor, Director of Recreation and Parks, responded that the City does not expect that bids will be truly competitive until late fall. In response to Councilman Abrams' concern that the projects completed, City Manager Robinson advised the

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Mayor and Council that the two projects would be packaged together and an Invitation For Bid would be issued after July 4, with construction to begin in 6 weeks. Councilman Duncan confirmed that it is the City's normal policy to reject a sole bid.

On motion of Councilman Duncan, duly seconded and unanimously passed, Bid No. 84-86 for rehabilitation of Maryvale Park Basketball Courts, was rejected as recommended by staff.

Re: Recommendation on Bid 85-86,
Civic Center Mansion Restrooms.

The subject invitation was issued for the renovation of the first floor restroom at the Civic Center Mansion.

Invitations were mailed to contractor publication services and to 37 contractors, plumbing, electrical and general. \$25,000 was budgeted for the project. The invitation was structured to allow the City to receive a lump sum bid for the entire project and to receive prices for deducts of certain specified items in order to bring the bid within the approved budget. Only one bid was received.

Smith & Haines, Inc.	Lump Sum	\$40,105
Deduct coat closet features		850
Deduct wall painting & trim		600
Deduct soap, towel and paper holders		400
Deduct light fixtures		420
Deduct ceramic tile flooring		600
Deduct sinks and hardware		<u>300</u>
Total deducting all of above		\$36,935

Staff recommends rejection of the single bid for the reason that it is over the budgeted amount; and that the specifications be evaluated for possible revisions, that a revised invitation be issued, and that advertisements be placed in several local newspapers, since the normal method of

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announcing invitations, the contractors publication services, did not produce results.

Councilman Abrams asked how the City could receive a better bid. Greg Bayor, Director of Recreation and Parks, stated the City's intent to advertise in trade journals and to submit the Invitation For Bid to construction firms that are identified in the yellow pages. He advised the Mayor and Council that the bid document would be revised in an attempt to receive both a greater number of bids, and bids that are closer to staff estimates. In response to a question from Councilman Hartogensis, Mr. Bayor advised the Mayor and Council that the project could not be done by City staff due to a full workload.

On motion from Councilman Duncan, duly seconded and unanimously passed, Bid No. 85-86 for Civic Center Mansion restrooms was rejected for the reasons that it is over the budgeted amount and staff was instructed to re-evaluate the specifications for possible revisions and readvertise in several local newspapers.

Re: Adoption of Resolution to
Authorize Execution of Agree-
ment in connection with
Approval of Annexation
Petition, X-99-86 - Red Gate
Limited Partnership,
Applicant, requesting the
enlargement of the boundaries
of the west side of Interstate
I-270, approximately 460 feet
south of the intersection of
Shady Grove Road and Inter-
state 270

Resolution No. 19-86

On motion from Councilman Duncan, duly seconded and passed by unanimous vote of all present, Resolution No. 19-86, the full text of which can be found in Resolution Book No. 8 of the Mayor and Council, enlarging the boundaries of

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the west side of I-270, approximately 460 feet south of the intersection of Shady Grove Road and Interstate 270, was approved by the Mayor and Council.

Re: Adoption of Resolution to Approve
Annexation Petition, X-99-86, Red
Gate Limited Partnership, Applicant.

Resolution No. 20-86

On motion from Councilman Duncan, duly seconded and unanimously passed, Resolution No. 20-86, the full text of which can be found in Resolution Book No. 8 of the Mayor and Council, approving Annexation Petition No. X-99-86, was approved by the Mayor and Council

Re: Introduction of Ordinance to Amend
the Zoning Map by including 27,138
sq. ft. of land located on the west
side of Interstate 270,
approximately 460 feet south of the
intersection of Shady Grove Road
and Interstate 270

On motion of Councilman Duncan, there was introduced upon the table an ordinance to amend the zoning map by adding 27,138 square feet of land located on the west side of Interstate 270, approximately 460 feet south of the intersection of Shady Grove Road and Interstate 270, said ordinance to lay over at least one week before final action is taken.

Re: Adoption of Ordinance: To grant
Map Amendment Application, M-48-86,
Mayor and Council, Applicant, to
rezone an unimproved lot located on
South Stonestreet Avenue at Reading
Place, an area of 9,042 square
feet, be rezoned from the present
I-1, Industrial Zone, to R-75,
Residential Zone

Ordinance No. 16-86

Councilman Hartogensis moved adoption of the ordinance, with a second from Councilman Duncan.

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Councilman Abrams stated that he would not vote against the motion; however he was not convinced that the R-75 classification was appropriate for this piece of property.

Councilman Coyle stated that it was a difficult issue; the land use planning function of the Mayor and Council is the best reason that can be given for the action being taken. He stated that he believes this action by the Mayor and Council is in the best interest of the community.

Mayor Van Grack agreed with the assessment made by Councilman Coyle.

Councilman Hartogensis' motion to approve the ordinance passed with Mayor Van Grack and Council members Coyle, Duncan and Hartogensis voting aye and Councilman Abrams voting nay.

Re: Review of Proposed 1987 Legislative
Action Requests

On motion of Councilman Duncan moved, duly seconded by and unanimously passed, the items recommended by staff be forwarded to the Maryland Municipal League for consideration in its legislative package for the 1987 session of the General Assembly.

Mayor Van Grack expressed his support for all three items. Councilman Hartogensis stated he expected to see a cap on liability for the city, and hopes this issue would be a high priority for the Maryland Municipal League. Responding to this concern, City Manager Robinson stated he felt the City did not need to focus on the issue, as it would be covered by others in the state.

Councilman Coyle asked that information on the legislative session be included in the Rockville Reports.

Re: Decision and Instructions to Staff
on Proposed Ordinance to amend
Chapter 11 of the Laws of Rockville
entitled "Traffic and Transporta-
tion" so as to prohibit on-street
commercial vehicle and truck parking

On motion of Councilman Abrams, duly seconded and passed, the Mayor and Council instructed the staff to schedule, at the earliest time, a worksession for both ordinances that have been introduced. Councilman Abrams asked that representatives from the Maryland tow truck operators be present, as well as residents interested in the matter.

Mayor Van Grack stated his support for some parking of commercial vehicles, rather than a total prohibition. Councilman Hartogensis stated that an additional criteria for the ordinance that is adopted that arose from the public hearing is a limitation on the number of vehicles allowable per household. Councilman Duncan asked staff to summarize the list of recommendations that came out of the public hearing, and Councilman Abrams asked that someone from Montgomery County be invited to answer questions that might arise regarding county laws.

Re: Correspondence

The Mayor and Council noted the following items of correspondence:

1. Response letters from Michael Barnes and Beverly Byron on General Revenue Sharing
2. Letter from Florence C. Welch regarding problem encountered at the Laundry Center

Councilman Hartogensis noted that staff had prepared an excellent response to Ms. Welch's concerns.

3. Letter from residents of Carter Court regarding sidewalk and curb replacement
4. Letter from Montgomery County Historical Society, Inc., regarding July 12, Civil War Event

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5. Letter from John E. Carson regarding support for the Class Attendance Policy
6. Letter from National Planning Commission regarding Rockville's recommended Capital Improvement Program
7. Letters from Mary Boergers regarding traffic lights at the intersection of Falls Road and West Kersey Lane and Veirs Mill Road and Edmonston Drive

Mayor Van Grack advised the Mayor & Council that there is a court case in Montgomery County Circuit Court regarding this issue, and asked if the Mayor & Council were prepared to have the City pay for the light itself. Staff advised the Mayor that even if the City paid for the light, the State would not allow it to be installed, as the intersection does not meet State standards for a traffic signal.

8. Thank you letter from Joan Fitzgerald regarding Student Government Days
9. Letter from Lester L. Troup regarding violation of City's Animal Control Ordinance

Mayor Van Grack asked the City Manager to have staff look into Mr. Troup's concerns regarding violation of the City's Animal Control Ordinance.

10. Additional items entered into the record for public hearing on proposed ordinance on truck parking held May 12, 1986
11. Announcement from White House on the appointment of Gwendolyn S. King as Deputy Assistant to the President and Director of the Office of Intergovernmental Affairs
12. Letter from Benton Hanan at Bethany House praising Young Shik Kim from Community Resources for his work in assisting Asian residents.

Re: Information Items

1. City Hall Evening Schedule
2. Maryland Local Government Investment Pool Newsletter, May 1986
3. Memorandum-Order granting the City's Motion to intervene in Civil Action No. 85-2759
4. Letter from Chairman of Arlington County Board announcing the Board's approval of the Fourth Interim Capital Contributions Agreement, Supplemental Memorandum of Understanding

Re: Approval of Minutes

On motion of Councilman Duncan, duly seconded and unanimously passed, the Minutes of Meeting No. 14-86, April 7, 1986, were approved as amended by the Mayor and Council.

On motion of Councilman Duncan, duly seconded and unanimously passed, the Minutes of Meeting No. 15-86, April 14, 1986, were approved as amended by the Mayor and Council.

On motion of Councilman Duncan, duly seconded and unanimously passed, the Minutes of Meeting No. 16-86, April 28, 1986, were approved as written by the Mayor and Council.

Re: New Business

1. Councilman Duncan complimented Mayor Van Grack on the letter he sent to the Motor Vehicle Administration (MVA) regarding the potential site of the MVA facility on Seven Locks Road at Montrose Road.

2. In response to a question from Councilman Duncan regarding rent control, City Manager Robinson advised the Mayor and Council that a work session on the issue would be scheduled for either July 28 or a meeting in August.

3. Councilman Abrams noted that the MVA held a meeting with the Montrose Civic Association. He suggested that the City meet with the County and Kettler Brothers to identify alternative sites to the MVA. He advised the Mayor and Council that Kettler brothers are interested in the property, but cannot develop it as long as it belongs to the MVA.

4. Mayor Van Grack thanked staff for its continuing follow-up on the Holladay-Tyler issue, referencing Robert Groff's, Superintendent of Licenses and Inspections, report.

Meeting No. 27-86

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June 23, 1986

Re: Executive Session

On motion of Councilman Duncan, duly seconded and unanimously passed, the Mayor closed the meeting at 10:06 p.m. to convene in executive session to discuss property disposition.

Re: Adjournment

There being no further business to come before the Mayor and Council in executive session, the meeting was adjourned at 11:10 p.m. to convene again on Monday, July 7, 1986, at 8:00 p.m. or at the call of the Mayor.